

Notice of Allowability

Application No.

10/706,528

Examiner

Charles I. Boyer

Applicant(s)

JORDAN ET AL.

Art Unit

1751

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to applicants' amendment and response received May 16, 2005.
2. ☒ The allowed claim(s) is/are 1-12, 14-57, 59-63, 65, 84 and 102.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

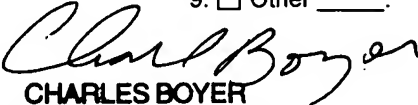
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


CHARLES BOYER
PRIMARY EXAMINER

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with David Carrithers on August 8, 2005.

The application has been amended as follows:

Replace the second paragraph, lines 7-10 on page 12 with the following replacement paragraph:

Cationic and nonionic surfactants such as BEROL 226 by Akzo Nobel Chemicals which contains a polyethoxylated quaternary ammonium surfactant and nonionic surfactants such as PLUROFAC D25 can be utilized in the present formulation in effective amounts of up to 10 percent by weight, and more preferably in amounts from .01 to 5.0 percent and more preferably from .1 to 3.0 percent.

Insert the following paragraph between the second and third paragraphs on page 12 as follows:

ELFACOS CD481 (1%) is a viscosity thickener which can be utilized in the present formulation in effective amounts of up to 10 percent by weight, and more preferably in amounts from .01 to 5.0 percent and more preferably from .1 to 3.0 percent.

Art Unit: 1751

Delete claim 1 and insert new claim 1 as follows:

--A wheel cleaning composition comprising an effective amount of a dirt complexing polymer, to complex with dirt particles, selected from the group consisting of a polyvinylpyrrolidone, a poly(4-vinylpyridine-betaine), a poly(N-vinylimidazole, a poly(4-vinylpyridine-N-oxide), and combinations thereof;

a silicate scouring agent

a nonionic surfactant; and

a polyethoxylated quaternary ammonium cationic surfactant.--

In line 1 of claim 3, after "wherein said" insert --nonionic or cationic--

In line 1 of claim 4, delete "including a including a nonionic surfactant containing" and insert --wherein the nonionic surfactant contains--

In line 1 of claim 5, delete "including a compound" and insert --wherein the nonionic surfactant is--

In line 1 of claim 6, delete "including" and insert --further comprising--

In line 1 of claim 7, delete "including"

In line 1 of claim 8, delete "including" and insert --further comprising--

In line 1 of claim 9, delete "including an effective amount of an alkaline cleaner capable of dissolving and emulsifying organic soils" and insert --wherein said alkaline-based formulation is an alkaline cleaner, is present in an effective amount for dissolving and emulsifying organic soils, and is--

Art Unit: 1751

Delete claim 10 and insert new claim 10 as follows:

--The wheel cleaning composition of claim 1, further comprising an anionic detergent.—

In line 2 of claim 11, delete “synthetic”

Delete claim 13

In line 1 of claim 15, delete “including” and insert –further comprising—

In line 1 of claim 18, delete “including” and insert –further comprising—

Delete claim 20 and insert new claim 20 as follows:

The wheel cleaning composition of claim 19, wherein said salts of EDTA are selected from the group consisting of calcium disodium edetate, disodium edetate, tetrasodium edetate, trisodium edetate, sodium ferric edetate, and dihydrogen ferrous edetate.

In line 2 of claim 24, delete “two scouring agents” and insert –one additional scouring agent.—

Delete claim 25 and insert new claim 25 as follows:

The wheel cleaning composition of claim 1, wherein said silicate scouring agent is selected from the group consisting of sodium metasilicate pentahydrate, and sodium metasilicate anhydrous, in an amount of up to 10 percent by weight.

In line 1 of claim 26, delete “up to 10” and insert –0.1 to 3.0—

In line 1 of claim 28, delete “including” and insert –further comprising—

In line 1 of claim 32, delete “including” and insert –further comprising—

In line 1 of claim 34, delete “including” and insert –further comprising—

In line 2 of claim 47, after “said” insert –at least one additional--

In line 2 of claim 48, after “said” insert –at least one additional--

Delete claim 53 and insert new claim 53 as follows:

Art Unit: 1751

A wheel cleaning composition, comprising an effective amount of a dirt complexing polymer, to complex with dirt particles, selected from the group consisting of a polyvinylpyrrolidone, a poly(4-vinylpyridine-betaine), a poly(N-vinylimidazole, a poly(4-vinylpyridine-N-oxide), and combinations thereof;

a nonionic surfactant;

a polyethoxylated quaternary ammonium surfactant;

a silicate scouring agent;

a chelating agent ; and

water.

In line 2 of claim 54, delete “scouring” and insert —chelating—

In line 2 of claim 54, after “acid” insert —or salt thereof—

In line 1 of claim 55, after “said” insert —silicate--

Delete claim 56 and insert new claim 56 as follows:

The wheel cleaning composition of claim 53, further comprising a polar solvent comprising an alcohol in an amount of up to 50 percent by weight.

Delete claim 57 and insert new claim 57 as follows:

The wheel cleaning composition of claim 53, said chelating agent comprising a salt of ethylenediaminetetraacetic acid selected from the group consisting of calcium disodium edetate, disodium edetate, tetrasodium edetate, trisodium edetate, sodium ferric edetate, dihydrogen ferrous edetate, disodium salt containing magnesium, disodium salt containing cobalt, disodium salt containing manganese, disodium salt containing copper, disodium salt containing zinc, and

Art Unit: 1751

disodium salt containing nickel for aiding in the removable of insoluble deposits of calcium and magnesium soaps and salts thereof.

Delete claim 58

In line 9 of claim 59, delete “an ethylenediaminetetraacetic acid” and insert –a chelating agent—

In line 11 of claim 59, delete “ionic and anion” and insert –nonionic and polyethoxylated quaternary ammonium cationic—

In line 12 of claim 59, after “mixture” insert a period and delete the rest of the claim

Delete claim 62 and insert new claim 62 as follows:

The method of preparing a wheel cleaning composition, of claim 59, further comprising the step of selecting an effective amount of an acid-based formulation in an aqueous solution.

In line 8 of claim 63, after “pentahydrate and” insert –a chelating agent comprising--

In line 10 of claim 63, delete “ionic and anion” and insert –nonionic and cationic—

Delete claim 64

In line 2 of claim 65, delete “64” and insert –63—

Delete claims 66-83

In line 1 of claim 84, delete “70” and insert –56—

In line 1 of claim 84, delete “organic” and insert –polar—

Delete claims 85-101

Insert new claim 102

102. The method of claim 63, wherein said cationic surfactant comprises a polyethoxylated quaternary ammonium surfactant.--

2. The following is an examiner's statement of reasons for allowance: Applicants have claimed a composition according to claim 1 as set forth above. The closest prior art of Pancheri, US 5,731,279 teaches a cleansing composition comprising polyvinyl pyrrolidone, polyvinylpyridine N-oxide, alcohol ethoxylate nonionic surfactant, a mixture of anionic surfactants, sodium silicate, and alkyl dimethyl hydroxyethyl quaternary ammonium compound (col. 34, example XVIII). The prior art does not teach applicants' specific combination of components, in particular, a polyethoxylated cationic surfactant. It would not have been obvious to one of ordinary skill in the art to use a polyethoxylated cationic surfactant together with the other components claimed based on the teachings of Pancheri. Accordingly, the present claims are allowable.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles I. Boyer whose telephone number is 571 272 1311. The examiner can normally be reached on M-F 9:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Yogendra Gupta can be reached on 571 272 1316. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 1751

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Charles I Boyer". The signature is fluid and cursive, with the first name "Charles" and last name "Boyer" clearly distinguishable.

Charles I Boyer
Primary Examiner
Art Unit 1751